

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

MARILYN V. HENDERSON,

Plaintiff,

v.

STATE OF INDIANA *et al.*,

Defendants.

CAUSE NO. 3:22-cv-837 DRL-MGG

OPINION AND ORDER

Marilyn Henderson, proceeding *pro se*, sues the State of Indiana and two LaPorte Superior Court employees, Kathy Camby and Heather Stevens. She alleges Ms. Camby and Ms. Stevens discriminated against her based on her race while filing her state cause of action in violation of the due process clause of the Fourteenth Amendment and the Civil Rights Act of 1964 [ECF 4]. The court construed Ms. Henderson's amended motion for an emergency hearing as her federal complaint. She moved to proceed *in forma pauperis*; however, her complaint failed to plead sufficient facts to state a claim. The court took her motion under advisement and afforded her leave to amend her complaint. Her amended pleading deadline was extended twice to February 13, 2023. She was cautioned that failure to amend her complaint could result in the dismissal of her case. *See Hoskins v. Poelstra*, 320 F.3d 761, 763 (7th Cir. 2003). As of today, she has not filed an amended complaint.

Accordingly, the court DENIES Ms. Henderson's motion to proceed *in forma pauperis* [ECF 2] and DISMISSES her case as abandoned under Federal Rule of Civil Procedure 41.

SO ORDERED.

February 24, 2023

s/ Damon R. Leichty

Judge, United States District Court